

NATIONAL WILDLIFE REFUGE SYSTEM VOLUNTEER AND
COMMUNITY PARTNERSHIP ACT OF 1997

OCTOBER 21, 1997.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 1856]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1856) to amend the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each United States Fish and Wildlife Service region, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Wildlife Refuge System Volunteer and Community Partnership Act of 1997”.

SEC. 2. VOLUNTEERS AND COMMUNITY PARTNERSHIPS FOR WILDLIFE.

(a) **PROMOTION OF VOLUNTEERS AT NATIONAL WILDLIFE REFUGES.**—Section 7(b)(2) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(b)(2)) is amended by adding at the end the following: “Any gift or bequest made for the benefit of a particular national wildlife refuge or complex of refuges shall be disbursed only for the benefit of that refuge or complex of refuges.”.

(b) **AWARDS AND RECOGNITION FOR VOLUNTEERS.**—Section 7(c)(2) of that Act (16 U.S.C. 742f(c)(2)) is amended—

(1) by inserting “awards and recognition,” after “lodging,”; and

(2) by inserting “without regard to their place of residence” after “volunteers”.

(c) **VOLUNTEER AND COMMUNITY PARTNERSHIP ENHANCEMENT.**—Section 7 of that Act (16 U.S.C. 742) is amended by adding at the end the following:

“(d) **VOLUNTEER AND COMMUNITY PARTNERSHIP ENHANCEMENT.**—(1) The purposes of this subsection are the following:

“(A) To encourage the use of volunteers in the National Wildlife Refuge System.

“(B) To facilitate partnerships between the National Wildlife Refuge System and partner organizations.

“(C) To promote participation by individuals, organizations, and communities in understanding and conserving the fish and wildlife resources, lands, and facilities of the National Wildlife Refuge System.

“(D) To enhance the availability of interpretive and educational materials and services for the enjoyment of visitors to national wildlife refuges.

“(2) Subject to the availability of appropriations, the Secretary of the Interior shall conduct a pilot project at 1 national wildlife refuge in each United States Fish and Wildlife Service region, under which the Secretary shall employ a full-time volunteer coordinator for each refuge.

“(3)(A) Subject to the compatibility requirements of the National Wildlife Refuge System Administration Act of 1966 and this paragraph, the Secretary of the Interior may enter into a cooperative agreement (as that term is used in chapter 63 of title 31, United States Code) with any partner organization, academic institution, or State or local government organization, for the conduct of a project on a national wildlife refuge, under which—

“(i) there will be provided enhanced opportunities for private citizens to volunteer with a national wildlife refuge in their local communities and contribute to stewardship of the resources on that refuge;

“(ii) a partner organization, academic institution, or State or local government organization will develop, produce, publish, distribute, or sell educational materials and products pertaining to a national wildlife refuge approved by the Secretary, under conditions specified by the Secretary;

“(iii) a partner organization, academic institution, or State or local government organization will construct, maintain, operate, or improve a facility on a national wildlife refuge necessary for the sale or distribution of educational materials, products, programs, and services pertaining to national wildlife refuges;

“(iv) a partner organization, academic institution, or State or local government organization will provide visitor services, facilities, or activities within a national wildlife refuge, under terms that require that the net profits from such services, facilities, or activities shall be used exclusively for projects and programs that benefit the refuge and are consistent with the purposes for which it was established; or

“(v) there will be carried out within a national wildlife refuge, on a Federal/non-Federal cost sharing basis, habitat restoration and improvement, biological monitoring, research, public education and recreation, construction of facilities, or other projects.

“(B) Any Federal funds used to fund a project under a cooperative agreement under this paragraph—

“(i) may be used only for expenses directly related to the project; and

“(ii) may not be used for operation or administration of any non-Federal entity.

“(C) A partner organization, academic institution, or State or local government organization shall not receive preferential treatment in any application process to provide visitor services, products, or facilities in a national wildlife refuge.

“(D) Any facility or permanent improvement constructed pursuant to this subsection shall be the property of the United States Government.

“(4)(A) Amounts received by the Secretary of the Interior as a result of activities under paragraph (3) shall be deposited in a separate account in the Treasury.

“(B) Amounts in the account referred to in subparagraph (A) that are attributable to activities at a particular national wildlife refuge or complex of refuges shall be available to the Secretary of the Interior without further appropriation—

“(i) for materials, training, and other uses related to volunteer activities at the refuge or complex of refuges; or

“(ii) to carry out cooperative agreements under this subsection applicable to the refuge or complex of refuges.

“(5) For the purposes of this subsection, the term ‘partner organization’ means an organization—

“(A) the mission of which is to promote understanding and conservation of the fish and wildlife, cultural, or historic resources of a particular national wildlife refuge or a complex of related national wildlife refuges;

“(B) that draws its membership primarily from communities near that refuge or complex of related national wildlife refuges; and

“(C) that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

“(6) In addition to amounts available under paragraph (4)(B), there are authorized to be appropriated to the Secretary of the Interior for each of fiscal years 1998, 1999, 2000, 2001, 2002, and 2003—

“(A) \$1,000,000 for carrying out activities under this subsection and subsection (c); and

“(B) \$1,050,000 for pilot projects under paragraph (2) among the United States Fish and Wildlife Service Regions.”.

(d) CONFORMING AMENDMENT.—Section 7(c)(6) of that Act (16 U.S.C. 742f(c)(6)) is amended by striking “\$100,000 for the Secretary of the Interior and”.

PURPOSE OF THE BILL

The purpose of H.R. 1856 is to amend the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one National Wildlife Refuge in each United States Fish and Wildlife Service region, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The National Wildlife Refuge System, which is administered by the U.S. Fish and Wildlife Service (USFWS), contains 92 million acres of Federal lands dedicated to the conservation of fish and wildlife. The Refuge System contains 509 Refuges located throughout the United States, ranging in size from the less-than-one-acre Mille Lacs National Wildlife Refuge in Minnesota to the 19.3-million-acre Arctic National Wildlife Refuge in Alaska. The System provides habitat for thousands of species of fish and wildlife, including more than 165 species listed as threatened or endangered under the Endangered Species Act, and it is particularly important to migratory bird conservation, as many Refuges are concentrated along the major North American flyways.

Theodore Roosevelt established the first Refuge in 1903 at Pelican Island, Florida, to protect egrets, herons, and other birds that were being killed to supply feathers to the fashion industry. In the succeeding 94 years, new Refuges have been created by reservation from the public domain, land transfers from other agencies, purchase of privately owned land, and land donations. Refuge land acquisition is funded by appropriations from the Land and Water Conservation Fund, which receives revenue from fuel taxes and oil leases; and the Migratory Bird Conservation Fund, which receives revenues from sales of duck stamps, import duties on firearms and ammunition, and Refuge entrance fees.

The mission of the Refuge System is “to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans” and, in addition, to allow Americans to participate in a number of activities, including wildlife-dependent recreation, when these activities are compatible with the purposes of each Refuge. As defined in the National Wildlife Refuge System Improvement Act of 1997, “wildlife-dependent recreation” means a use of a Refuge involving hunting, fishing, wildlife observation and photography, or environmental education and interpretation. The vast majority of the Refuge System is open to one or more of these uses, and it forms one of the largest recreational and educational resources in the nation.

The Refuge System is relatively poorly funded compared to other Federally-managed lands. In 1995, System funding per acre of land managed was \$1.81, which compares unfavorably to values of \$2.54 for the Bureau of Land Management, \$6.83 for the U.S. Forest Service, and \$13.23 for the National Park Service. This funding shortage in the Refuge System has created a significant construction and maintenance backlog. Unfunded maintenance needs at existing facilities total \$505 million, and construction of new facilities required to meet needs identified in management plans would add another \$298 million to this figure. This inability to maintain critical facilities, especially water management structures, threatens the ability of many Refuges to adequately carry out their conservation objectives.

For as long as the Refuge System has existed, volunteers have helped operate it. National Audubon Society members staffed the first Refuge at Pelican Island as volunteer wardens. The present volunteer program at the USFWS dates to the enactment of the Fish and Wildlife Improvement Act of 1978, which authorizes the Secretary of the Interior to recruit, train, and accept the services of individuals as volunteers for any program conducted by the USFWS. This Act further states that the Secretary may provide for expenses (including food, housing, transportation, and uniforms) for volunteers. It also specifies that volunteers will be considered government employees for the purposes of tort claim liability and compensation for job-related injuries.

The USFWS has maintained a volunteer program since 1982, using volunteers throughout the Refuge System, fish hatcheries, and other field and administrative offices. The program has a national coordinator, and two Refuges have full-time volunteer coordinators. Other field offices have an employee who is designated as a volunteer coordinator in addition to his or her other duties. In 1982, 4,251 volunteers donated 128,440 hours of time. The program has grown over the last 15 years, and in 1996, 25,000 volunteers donated over 1 million hours, representing 19 percent of all work done at USFWS field stations nationwide. USFWS estimates that it spent approximately \$1.7 million to support volunteer programs in 1996, including salaries for the full-time coordinators, publicity and recruiting activities, and housing, subsistence, and supplies for volunteers. Converting hours to dollars using a GS-5 hourly rate, this \$1.7 million investment generated \$11 million worth of services.

The 25,000 volunteers who contribute time to USFWS perform a wide variety of jobs. Some staff visitor centers and conduct Refuge tours. At the Ding Darling National Wildlife Refuge (NWR) in Florida, in fact, the visitor center is staffed entirely by volunteers. Many volunteers help with construction and maintenance. For example, one Eagle Scout at Aransas NWR in Texas personally removed over three miles of electric fence. A retired couple devotes much of their year to Refuge maintenance, operating earthmoving equipment nearly full-time at a Refuge in Texas in the winter, and at another Refuge in Washington State in the summer. The host Refuges provide this couple with free RV hookups, and supply the bulldozers. Scientifically trained volunteers perform wildlife population surveys, archeological assessments, and mapping projects,

and many educational programs rely on volunteers who teach everything from environmental science to hunting safety.

In addition to accepting the services of individual volunteers, USFWS has formal relationships with a number of conservation and service organizations. These include Ducks Unlimited, the Audubon Society, the National Rifle Association, the Boy Scouts and Girl Scouts, and numerous universities, local Chambers of Commerce, and sportsmen's clubs. This year, USFWS has initiated a program called the "Friends Initiative," which will provide local communities and volunteer groups with information and training on fundraising, organization, and recruiting volunteers. The goal of this initiative is to develop local volunteer groups on a nationwide basis, near as many Refuges as possible, to assist with the operation of these Refuges.

The purpose of H.R. 1856 is to support the efforts of the USFWS to expand their volunteer program. The Refuge System already depends on its volunteers to help meet many basic operational needs. Expanding the volunteer program is a cost-effective way to meet more of these needs, particularly those associated with visitors and environmental education. This effort will also help to increase local involvement with and support for the Refuge System, which will celebrate its 100th anniversary in 2003.

COMMITTEE ACTION

H.R. 1856 was introduced on June 10, 1997, by Congressman Jim Saxton (R-NJ). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries Conservation, Wildlife, and Oceans. On June 18, 1997, the Subcommittee held a hearing on H.R. 1856. Witnesses included Dr. Robert Streeter, Assistant Director for Refuges and Wildlife, USFWS; Dr. Edgar C. Bristow, President, Atlantic Audubon Society and Friends of Forsythe National Wildlife Refuge; Dr. Rollin T. Sparrowe, President, Wildlife Management Institute; and Dr. Daniel P. Beard, Senior Vice President for Public Policy, National Audubon Society. On July 31, 1997, the Subcommittee met to mark up H.R. 1856. An amendment to authorize the Secretary of the Interior to enter cooperative agreements with local nonprofit organizations for purposes of Refuge enhancement and maintenance was offered by Mr. Saxton. It was adopted by voice vote. The bill was then ordered favorably reported to the Full Committee by voice vote. On October 1, 1997, the Full Resources Committee met to consider H.R. 1856. An amendment in the nature of a substitute making technical corrections was offered by Mr. Saxton, and adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

The short title of this bill is "The National Wildlife Refuge System Volunteer and Community Partnership Act of 1997".

SECTION 2. VOLUNTEERS AND COMMUNITY PARTNERSHIPS FOR
WILDLIFE

(a) Promotion of Volunteers at National Wildlife Refuges. Section 7(b)(2) of the Fish and Wildlife Act of 1956 authorizes the Secretary of the Interior to accept gifts, devise, and bequests, deposit them in a separate account in the Treasury, and disburse them for the benefit of USFWS programs. In practice, this means that all donations to National Wildlife Refuges are deposited in a single nationwide account. It has come to the attention of the Committee that some donors who desired to make monetary contributions to a specific National Wildlife Refuge in their community are concerned that this accounting procedure makes it difficult to ensure that their donation will be used at their chosen Refuge. The Committee intends this subsection to ensure that the USFWS makes every effort possible to accommodate donors who desire to make a contribution to a Refuge in their community.

(b) Awards and Recognition for Volunteers. Section 7(c)(2) of the Fish and Wildlife Service Act of 1956 authorizes the Secretary of the Interior to provide for a variety of incidental expenses for volunteers. This subsection adds "awards and recognition" to the list of allowable incidental expenses. By "awards and recognition" the Committee means: nonmonetary gifts of nominal value, such as inscribed plaques, photographs, or commemorative products; and events whose purpose is to recognize volunteer services, such as lunches, awards banquets, or similar events.

(c) Volunteer and Community Partnership Enhancement. This subsection adds a new subsection to Section 7 of the Fish and Wildlife Act of 1956. The new subsection has two purposes:

First, it directs the Secretary of the Interior to conduct a pilot project at each of seven National Wildlife Refuges, one chosen from each USFWS region. At hearings before the Subcommittee on Fisheries Conservation, Wildlife, and Oceans on April 21, 1997, and June 18, 1997, public witnesses representing community conservation groups testified that the chief obstacle to improving coordination between Refuges and volunteer groups was a shortage of available staff. At present, only two Refuges have full-time volunteer coordinators. Both of these Refuges have large and successful volunteer programs. At other Refuges, a staff member is designated as a volunteer coordinator in addition to other full-time duties. The pilot projects authorized under this subsection are intended to increase cooperation between Refuges and volunteer groups by allowing Refuges to devote adequate staff time to this purpose.

Second, this new subsection allows the Secretary of the Interior to enter into cooperative agreements with academic institutions, state and local governments, or "partner organizations" for the purposes of Refuge operation or enhancement.

"Partner organizations" are defined as nonprofit organizations (under Section 501(c)(3) of the Internal Revenue Code) whose mission is to support one or more National Wildlife Refuges, and whose membership is drawn from communities near these Refuges. Similar organizations currently exist under the name of "Friends Groups," for example, the Friends of the Edwin B. Forsythe National Wildlife Refuge in New Jersey or the Ding Darling Wildlife

Society in Florida. These are groups whose members live near a Refuge and have formal agreements with the Refuge. The Committee expects that these existing groups will be able to satisfy the definition of "partner organization" in this subsection with little additional effort.

The Committee recognizes that many Refuges are located in remote areas and are not "near" any communities. In this case, the members of partner organizations for such Refuges would not be expected to live in close geographic proximity to the Refuge. Conversely, there are many places where several Refuges surround a single community, or where several remote Refuges could best be served by a partner organization in a single population center. In this case, it would be appropriate for a single partner organization to be associated with several geographically-related Refuges.

The authorization of cooperative agreements in this subsection is intended to encourage cooperation between Refuges and other groups, specifically partner organizations, academic institutions, and state and local governments, on projects that benefit Refuges. This subsection describes the types of projects that are authorized, which fall into the broad categories of operations and maintenance, habitat restoration or improvement, research, fundraising, and education. For example, a Refuge could contribute materials, and a partner organization could contribute labor, towards the construction of a wildlife observation tower or a boardwalk through a marsh. A partner organization might use a Refuge visitor center to conduct hunter safety classes. Refuge staff might cooperate with students at a university to conduct regular wildlife population surveys. A partner organization might raise funds by selling Refuge-related products, then use the proceeds, in combination with funds and/or materials provided by the Refuge, to construct a facility that would support compatible wildlife-dependent education or recreation like a boat ramp or tent platform. These projects and others would be authorized under this subsection.

This subsection specifies that any facility constructed on a Refuge pursuant to a cooperative agreement will become the property of the U.S. Government. It also specifies that Federal funds provided as part of a cooperative agreement may only be used for expenses directly related to a project that benefits the Refuge System. The Committee wishes to stress that the use of Federal funds for the operation or administration of any non-Federal entity, including a partner organization, is specifically prohibited.

The Committee envisions that a partner organization might enter a cooperative agreement with a Refuge in which the partner organization would raise funds to support normal Refuge operation or maintenance activities. This subsection authorizes the Secretary of the Interior to accept funds generated pursuant to a cooperative agreement, deposit them in an account in the Treasury, and disburse them to carry out activities specified in the agreement or for other uses related to volunteer activities.

This subsection also authorizes appropriations of \$2,050,000 in each of the next five fiscal years, beginning in fiscal year 1998. Of this amount, \$1,050,000 is to be divided equally among the seven pilot projects authorized under this subsection, and \$1,000,000 is

for carrying out activities related to volunteers which are authorized under subsection (c) of the Fish and Wildlife Act of 1956.

(d) Conforming Amendment. This subsection strikes the existing authorization of appropriations for USFWS volunteer activities. This authority is consolidated into that provided in subsection (c).

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact H.R. 1856.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1856. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1856 does not contain any new budget authority, credit authority, or an increase or decrease in revenues or tax expenditures. Enactment of H.R. 1856 would affect direct spending by allowing the USFWS to collect and spend amounts earned by partner organizations under cooperative agreements, but any receipts and spending resulting under this authority would offset each other over time.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1856.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1856 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 8, 1997.

Hon. DON YOUNG,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1856, the National Wildlife Refuge System Volunteer and Community Partnership Act of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 1856—National Wildlife Refuge System Volunteer and Community Partnership Act of 1997

Summary: H.R. 1856 would amend the Fish and Wildlife Act of 1956 to promote community involvement at national wildlife refuges. To encourage the use of individual volunteers, the bill would direct the U.S. Fish and Wildlife Service (USFWS) to conduct pilot projects under which a full-time volunteer coordinator would be hired for one refuge in each service region. The bill would also address more formal agency-community relationships by authorizing the USFWS to execute cooperative agreements with organizations such as nonprofit groups, academic institutions, and state or local agencies. Under such agreements, the partner organization could help finance programs and projects that benefit wildlife refuges. Amounts received by the agency under these agreements (that is, profits from sales or other activities conducted at refuges by the partner organization) would be deposited in a separate account in the U.S. Treasury and would be available without appropriation for related expenditures.

The bill would authorize the appropriation of \$2.05 million annually through fiscal year 2003, including \$1.05 million for costs related to the regional pilot projects and \$1 million for implementing community partnerships and other volunteer activities.

Assuming appropriation of the authorized amounts, CBO estimates that the USFWS would spend about \$10 million over the next five years. The legislation would affect direct spending by allowing the agency to collect and spend amounts earned by partner organizations under cooperative agreements; therefore, pay-as-you-go procedures would apply, but any receipts and spending resulting from this authority would offset each other over time. H.R. 1856 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: For purposes of this estimate, CBO assumes that the entire amounts authorized by H.R. 1856 would be appropriated for each of fiscal years 1998

through 2002. Outlay estimates are based on spending patterns for similar programs. The estimated budgetary impact of H.R. 1856 is shown in the following table.

	By fiscal year, in millions of dollars					
	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION						
USFWS Baseline Spending Under Current Law:						
Estimated authorization level ¹	524	542	560	579	598	618
Estimated outlays	523	539	558	578	597	617
Proposed Changes:						
Estimated authorization level	0	2	2	2	2	2
Estimated outlays	0	1	2	2	2	2
USFWS Spending Under H.R. 1856:						
Estimated authorization level	524	544	562	581	600	670
Estimated outlays	523	540	560	580	599	619

¹ The 1997 figure is the amount appropriated for USFWS resource management. The levels shown for 1998 through 2002 are CBO baseline projections assuming increases for anticipated inflation.

The costs of this legislation fall within budget function 300 (natural resources and environment). The volunteer pilot projects and community partnership agreements authorized by this bill would constitute new programs in the federal budget. There is no spending for such activities under current law. The table shows changes relative to CBO baseline projections, including increases for anticipated inflation, for USFWS resource management activities. If the comparison were made to a baseline without discretionary inflation, the cost of the bill would be the same—the authorization level would be \$524 million for each year under current law and \$526 million for each year under H.R. 1856.

Enacting H.R. 1856 also would increase offsetting receipts and outlays from direct spending authority by allowing the USFWS to collect and use amounts earned by partner organizations. CBO estimates that this authority would generate receipts of less than \$500,000 annually. Because these amounts would be offset by additional spending, the net impact on the federal budget would be negligible in each year.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 specifies pay-as-you-go procedures for legislation affecting direct spending or receipts. Although enacting H.R. 1856 would affect direct spending, CBO estimates that the amounts involved would be less than \$500,000 annually.

Impact on State, local, and tribal governments: H.R. 1856 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. State and local entities might voluntarily incur some costs should they choose to enter into cooperative agreements with the Secretary of the Interior, as authorized by this bill.

Impact on the private sector: This bill would impose no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal costs: Deborah Reis; impact on State, local, and tribal governments: Marjorie Miller.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 1856 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 7 OF THE FISH AND WILDLIFE ACT OF 1956

POLICIES, PROCEDURES, RECOMMENDATIONS

SEC. 7. (a) * * *

(b) * * *

(2) Any gifts and bequests of money and proceeds from the sales of other property received as gifts or bequests pursuant to this subsection shall be deposited in a separate account in the Treasury and shall be disbursed upon order of the Secretary for the benefit of programs administered by the United States Fish and Wildlife Service. *Any gift or bequest made for the benefit of a particular national wildlife refuge or complex of refuges shall be disbursed only for the benefit of that refuge or complex of refuges.*

* * * * *

(c)(1) * * *

(2) The Secretary of the Interior and the Secretary of Commerce are each authorized to provide for incidental expenses such as transportation, uniforms, lodging, *awards and recognition*, and subsistence of such volunteers *without regard to their place of residence*.

* * * * *

(6) There are authorized to be appropriated to carry out this subsection **[\$100,000 for the Secretary of the Interior and] \$50,000** for the Secretary of Commerce for each of the fiscal years 1980, 1981, 1982, 1983, 1984, 1985, and 1986.

(d) *VOLUNTEER AND COMMUNITY PARTNERSHIP ENHANCEMENT.*—

(1) *The purposes of this subsection are the following:*

(A) *To encourage the use of volunteers in the National Wildlife Refuge System.*

(B) *To facilitate partnerships between the National Wildlife Refuge System and partner organizations.*

(C) *To promote participation by individuals, organizations, and communities in understanding and conserving the fish and wildlife resources, lands, and facilities of the National Wildlife Refuge System.*

(D) *To enhance the availability of interpretive and educational materials and services for the enjoyment of visitors to national wildlife refuges.*

(2) *Subject to the availability of appropriations, the Secretary of the Interior shall conduct a pilot project at 1 national wildlife refuge in each United States Fish and Wildlife Service region, under*

which the Secretary shall employ a full-time volunteer coordinator for each refuge.

(3)(A) Subject to the compatibility requirements of the National Wildlife Refuge System Administration Act of 1966 and this paragraph, the Secretary of the Interior may enter into a cooperative agreement (as that term is used in chapter 63 of title 31, United States Code) with any partner organization, academic institution, or State or local government organization, for the conduct of a project on a national wildlife refuge, under which—

(i) there will be provided enhanced opportunities for private citizens to volunteer with a national wildlife refuge in their local communities and contribute to stewardship of the resources on that refuge;

(ii) a partner organization, academic institution, or State or local government organization will develop, produce, publish, distribute, or sell educational materials and products pertaining to a national wildlife refuge approved by the Secretary, under conditions specified by the Secretary;

(iii) a partner organization, academic institution, or State or local government organization will construct, maintain, operate, or improve a facility on a national wildlife refuge necessary for the sale or distribution of educational materials, products, programs, and services pertaining to national wildlife refuges;

(iv) a partner organization, academic institution, or State or local government organization will provide visitor services, facilities, or activities within a national wildlife refuge, under terms that require that the net profits from such services, facilities, or activities shall be used exclusively for projects and programs that benefit the refuge and are consistent with the purposes for which it was established; or

(v) there will be carried out within a national wildlife refuge, on a Federal/non-Federal cost sharing basis, habitat restoration and improvement, biological monitoring, research, public education and recreation, construction of facilities, or other projects.

(B) Any Federal funds used to fund a project under a cooperative agreement under this paragraph—

(i) may be used only for expenses directly related to the project; and

(ii) may not be used for operation or administration of any non-Federal entity.

(C) A partner organization, academic institution, or State or local government organization shall not receive preferential treatment in any application process to provide visitor services, products, or facilities in a national wildlife refuge.

(D) Any facility or permanent improvement constructed pursuant to this subsection shall be the property of the United States Government.

(4)(A) Amounts received by the Secretary of the Interior as a result of activities under paragraph (3) shall be deposited in a separate account in the Treasury.

(B) Amounts in the account referred to in subparagraph (A) that are attributable to activities at a particular national wildlife refuge

or complex of refuges shall be available to the Secretary of the Interior without further appropriation—

(i) for materials, training, and other uses related to volunteer activities at the refuge or complex of refuges; or

(ii) to carry out cooperative agreements under this subsection applicable to the refuge or complex of refuges.

(5) For the purposes of this subsection, the term “partner organization” means an organization—

(A) the mission of which is to promote understanding and conservation of the fish and wildlife, cultural, or historic resources of a particular national wildlife refuge or a complex of related national wildlife refuges;

(B) that draws its membership primarily from communities near that refuge or complex of related national wildlife refuges; and

(C) that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

(6) In addition to amounts available under paragraph (4)(B), there are authorized to be appropriated to the Secretary of the Interior for each of fiscal years 1998, 1999, 2000, 2001, 2002, and 2003—

(A) \$1,000,000 for carrying out activities under this subsection and subsection (c); and

(B) \$1,050,000 for pilot projects under paragraph (2) among the United States Fish and Wildlife Service Regions.

